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Letter dated 20 December 2016 from the Chair of the Security Council Committee established pursuant to resolution 1591 (2005) concerning the Sudan addressed to the President of the Security Council

I have the honour to transmit herewith the report of the Security Council Committee established pursuant to resolution 1591 (2005) concerning the Sudan, containing an account of the Committee's activities from 1 January to 31 December 2016. The report, which was approved by the Committee, is being submitted in accordance with the note by the President of the Security Council of 29 March 1995 (S/1995/234).

I should be grateful if the present letter and the report were brought to the attention of the members of the Security Council and issued as a document of the Council.

(*Signed*) Rafael Dario **Ramírez Carreño**
Chair
Security Council Committee established pursuant
to resolution 1591 (2005) concerning the Sudan

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Report of the Security Council Committee established pursuant to resolution 1591 (2005) concerning the Sudan

I. Introduction

1. The present report of the Security Council Committee established pursuant to resolution 1591 (2005) concerning the Sudan covers the period from 1 January to 31 December 2016.

2. The Bureau of the Committee consisted of Rafael Darío Ramírez Carreño (Bolivarian Republic of Venezuela) as Chair and the representatives of Senegal and Spain as Vice-Chairs.

II. Background

3. By its resolution 1556 (2004), the Security Council imposed an arms embargo on all non-governmental entities and individuals, including the Janjaweed, operating in the States of North Darfur, South Darfur and West Darfur in the Sudan. By its resolution 1591 (2005), the Council broadened the scope of the arms embargo to include all parties to the N'Djamena Ceasefire Agreement and any other belligerents in those States (subsequently confirmed, in resolution 2035 (2012), to also include the new States of East and Central Darfur). Exemptions to the measures were also included.

4. By its resolution 1591 (2005), the Security Council also established a committee to monitor the implementation of the arms embargo and the two additional measures, a travel ban and an asset freeze, imposed through the same resolution on individuals, to be designated by the Committee, on the basis of the criteria contained in the resolution. The Council, by its resolution 2035 (2012), subsequently extended the applicability of the designation criteria to entities. By its resolution 1672 (2006), the Council designated four individuals as subject to the travel ban and asset freeze.

5. The enforcement of the arms embargo was strengthened in resolution 1945 (2010), when the Security Council clarified the exemptions to that measure and made the sale or supply of arms and related materiel to the Sudan not prohibited by the embargo contingent upon the necessary end user documentation. The exemptions to the embargo were further updated in resolution 2035 (2012).

6. By its resolution 1769 (2007), the Security Council provided for an arms embargo monitoring aspect to the mandate of the African Union-United Nations Hybrid Operation in Darfur (UNAMID). In its resolution 2228 (2015), the Council requested UNAMID to discontinue all other tasks not aligned to its revised strategic priorities, which did not include any reference to the above-mentioned monitoring role. The Council expressed deep concern over the proliferation of arms, in particular small arms and light weapons, and requested UNAMID to continue to cooperate in that context with the Panel of Experts on the Sudan in order to facilitate its work. The Council reiterated similar language in its resolution 2296 (2016).

7. The Panel of Experts, operating under the direction of the Committee, was established by the Security Council in its resolution 1591 (2005) to assist the Committee in monitoring the implementation of the measures and to act as a source of information for potential designations. The membership of the Panel, which initially consisted of four experts, was increased to five experts by the Council in its resolution 1713 (2006). The Panel's mandate was renewed most recently in resolution 2265 (2016).

8. Further background information on the Sudan sanctions regime can be found in the previous annual reports of the Committee.

III. Summary of the activities of the Committee

9. The Committee met four times in informal consultations, on 11 March, 19 April, 8 July and 28 October, and once in a formal meeting, on 16 December, in addition to conducting its work through written procedures.

10. During the informal consultations held on 11 March, the Committee received a briefing from the African Union-United Nations Joint Special Representative and Joint Chief Mediator for Darfur (via videoconference).

11. During the informal consultations held on 19 April, the Committee received a briefing from the Special Representative of the Secretary-General for Children and Armed Conflict.

12. During the informal consultations held on 8 July, the Committee received a briefing from the Special Representative of the Secretary-General on Sexual Violence in Conflict.

13. During the informal consultations held on 28 October, the Committee heard a presentation by the Panel of Experts on its work programme under resolution 2265 (2016).

14. At its eighth formal meeting, on 16 December, the Committee met representatives of the Sudan and countries in the region (Chad, Eritrea, Ethiopia, Libya and Uganda), pursuant to paragraph 3 (a) (vii) of resolution 1591 (2005), with the aim of further strengthening dialogue between the Committee and the invited delegations. The Panel of Experts also participated in the meeting.

15. Following each of the above-mentioned informal consultations, as well as the formal meeting, and in accordance with paragraph 1 (c) of the note by the President of the Security Council on the work of the subsidiary organs of the Security Council (S/2016/170), the Committee sent notes verbales to all Member States containing brief summaries of the informal consultations.

16. On 4 February, 4 May and 27 September, the Chair of the Committee briefed the Security Council during consultations on the activities of the Committee, pursuant to paragraph 3 (a) (iv) of resolution 1591 (2005).

17. In 2016, the Committee received two implementation reports from Member States.

18. On 5 February, the Committee sent a note verbale to all Member States in connection with the availability of any biometric data sets on the four listed individuals, for inclusion in the relevant INTERPOL-United Nations Security Council Special Notices, in follow-up to a recommendation made in the final report of the Panel of Experts (S/2016/805).

19. The Committee sent 20 letters to eight Member States and other stakeholders with reference to the implementation of the sanctions measures.

IV. Exemptions

20. Exemptions to the arms embargo are contained in paragraph 9 of resolution 1556 (2004) and paragraph 7 of resolution 1591 (2005), subsequently updated in paragraph 8 (b) of resolution 1945 (2010) and paragraph 4 of resolution 2035 (2012).

21. Exemptions to the travel ban are contained in paragraph 3 (f) of resolution 1591 (2005) and exemptions to the asset freeze in paragraph 3 (g) of resolution 1591 (2005).

22. No exemption requests or notifications were received by the Committee during the period under review.

V. Sanctions list

23. The criteria for the designation of individuals and entities as subject to the travel ban and asset freeze are set out in paragraph 3 (c) of resolution 1591 (2005). The procedures for requesting listing and delisting are described in the Committee's guidelines for the conduct of its work.

24. As at the end of the reporting period, there were four individuals on the sanctions list of the Committee.

VI. Panel of Experts

25. On 8 January and 9 March, in accordance with paragraph 3 of resolution 2200 (2015), the Panel of Experts provided quarterly updates to the Committee.

26. The final report submitted under paragraph 2 of resolution 2200 (2015) by the Panel was issued as a document of the Security Council on 22 September (S/2016/805).

27. On 7 October, following the adoption by the Security Council of resolution 2265 (2016), the Secretary-General appointed five individuals to serve on the Panel, with expertise in arms, finance, international humanitarian law, regional issues and transport and customs (see S/2016/852). The mandate of the Panel expires on 12 March 2017.

28. On 22 December, in accordance with paragraph 2 of resolution 2265 (2016), the Panel provided its final report to the Committee, which is expected to be

transmitted to the Security Council and issued as a document of the Council in January 2017.

29. The Panel conducted visits to Austria, Ethiopia, France, the Netherlands, South Sudan, Switzerland, Uganda, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

30. In pursuance of its mandate, the Panel, through the Secretariat, sent 29 letters to Member States, the Committee and international and national entities.

VII. Secretariat administrative and substantive support

31. The Security Council Affairs Division provided substantive and procedural support to the Chair and the members of the Committee. Advisory support was also provided to Member States to promote understanding of the sanctions regime and facilitate the implementation of the sanctions measures. Induction briefings were also provided to incoming members of the Council to familiarize them with the specific issues relevant to the sanctions regime.

32. To support the Committee in its recruitment of well-qualified experts to serve on sanctions monitoring groups, teams and panels, a note verbale was sent to all Member States on 1 December to request the nomination of qualified candidates for membership of the roster of experts. In addition, a note verbale was sent to all Member States notifying them of upcoming vacancies on the Panel of Experts and providing information on recruitment timelines, areas of expertise and pertinent requirements.

33. The Division continued to provide support to the Panel of Experts, conducting an induction for newly appointed members in New York and assisting in the preparation of the Panel's final report in December.

34. The Panel of Experts participated in the fourth annual inter-panel coordination workshop, held in New York on 6 and 7 December, organized by the Secretariat. On 8 and 9 December, the Division, in cooperation with United Nations system partners, conducted a workshop on investigative interview techniques for 19 experts from sanctions monitoring groups, teams and panels. Three members of the Panel participated therein.

35. The Secretariat continued to update and maintain the Consolidated United Nations Security Council Sanctions List and the committee-specific sanctions lists in the six official languages and the three technical formats. Furthermore, the Secretariat implemented improvements concerning the effective utilization of and access to sanctions lists, including through the establishment of a search function for names on sanctions lists, the creation of lists organized by permanent reference number, in addition to those in alphabetical order, and the creation of links in list entries, as appropriate, to INTERPOL-United Nations Security Council Special Notices.